

Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 237, the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development:

Bill Frist, Thad Cochran, Saxby Chambliss, Rick Santorum, Norm Coleman, Craig Thomas, Jeff Sessions, Pat Roberts, Kay Bailey Hutchison, George V. Voinovich, Charles Grassley, Wayne Allard, Michael B. Enzi, Elizabeth Dole, John E. Sununu, Sam Brownback, John Warner.

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 238, the nomination of Thomas C. Dorr, of Iowa, to be a member of the Board of Directors of the Commodity Credit Corporation:

Bill Frist, Thad Cochran, Norm Coleman, Charles Grassley, Wayne Allard, Jim Bunning, Conrad Burns, Mitch McConnell, John Cornyn, Lamar Alexander, Larry Craig, Richard G. Lugar, Peter Fitzgerald, George Allen, Don Nickles, John Ensign, James M. Inhofe.

Mr. FRIST. I ask unanimous consent the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF STATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of the following nomination on today's Executive Calendar: Calendar No. 461. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed as follows:

Zalmay Khalilzad, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Transitional Islamic State of Afghanistan.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to Legislative Session.

ADOPTION INCENTIVES REAUTHORIZATION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 3182 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3182) to reauthorize the adoption incentive payments program under part E of title IV of the Social Security Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ROCKEFELLER. Mr. President, today, the Senate is taking bipartisan action to pass the Adoption Promotion Act of 2003, which will extend and improve the adoption bonuses created as part of the 1997 Adoption and Safe Families Act. For many years, the Senate has taken a bipartisan approach to adoption and child welfare policy. I am very proud to be one of the lead advocates for this legislation that rewards states which promote adoption and invest in child welfare.

Throughout this year, a bipartisan group, led by Finance Chairman GRASSLEY met to forge consensus on extending the adoption incentives, and doing more to focus attention on the needs of older children. President Bush highlighted the need to do more to promote adoptions for children nine years old or older, and Congress agreed. The list of cosponsors, including Senators LANDRIEU, BUNNING, CRAIG, BAUCUS, DEWINE, LEVIN, INHOFE, NELSON, LINCOLN, CLINTON, and JEFFORDS, demonstrates the broad coalition that can be achieved when we take a bipartisan approach.

As I noted, our legislation builds on the foundation set with the 1997 Adoption and Safe Families Act. Since its passage, adoptions from foster care have nearly doubled nationwide and over 900 West Virginia children have a permanent home. By extending and expanding this law, we hope to continue to promote permanent homes, and place a new focus on older children.

Despite our success in recent years, across this nation 126,000 children are waiting to be adopted. Children over the age of 9 represent almost half of the children awaiting adoption yet these children spend the most time in the system and have a difficult time finding permanent homes. The Adoption Promotion Act of 2003 will especially help these children by offering incentives to states that successfully place older children in adoptive homes.

This bill rewards states for moving children into permanent homes from the foster care system and further rewards states for moving special needs, and older children from foster care to permanent placements. This bill is particularly important for my state. In West Virginia, over 70 percent of the children in foster care are over age 9. This act will help older children find much needed, permanent homes.

This legislation is a positive way we can strengthen our child welfare system, but we also know that more must be done to help vulnerable children. The bipartisan spirit that helped ensure this legislation passage is the same spirit needed to deal with the rest of the child welfare system as we continue to push the basic goal of a child's health and safety being paramount, and every child finding a permanent home.

Mr. NELSON of Nebraska. Mr. President, I rise today in support of H.R.

3182, legislation to reauthorize the adoption incentive program. I would like to thank Senator GRASSLEY for his leadership on this issue. He has been a friend to American families for his entire tenure in this body and his work has made it even easier for more families to come together through adoption.

As an adoptive parent myself, I know firsthand how adoption can complete a family and how it can give new beginnings to both adoptive parents and children. And as a member of the Adoption Caucus, I have worked to make it easier for other families to experience the joy my family did through adoption.

This legislation will help that process by removing financial obstacles to adopting a child. As anyone who has been through an adoption knows, it can often be a very long, expensive process and for some families; the costs are so high as to be prohibitive. This legislation will help ensure that a family is not prevented from adopting a child simply because of the high costs involved.

The Adoption Incentives Program has already had been a tremendous success. Now this reauthorized and amended version of the program can help even more children and families for years to come. I stand wholeheartedly behind the goals of this bill and I look forward to working with Senator GRASSLEY on this issue again in the future.

ABUSED AND NEGLECTED CHILDREN

Mrs. CLINTON. Mr. President, first I want to thank Senator GRASSLEY for the leadership that he has shown in addressing the needs of abused and neglected children. Together with Senator LANDRIEU and Senator BUNNING, Senator GRASSLEY has worked tirelessly and I know that this work comes from the heart. It is not an issue that gets in the headlines unless something goes wrong. It's an issue that one champions only because he or she cares. I also want to acknowledge the longstanding commitment of my friend Senator ROCKEFELLER who is well known as the greatest ally of needy children in this esteemed body.

Mr. GRASSLEY. I too want to thank Senator LANDRIEU, and I would like to recognize Senator BUNNING's efforts on this legislation.

Today we are passing the Adoption Incentives Reauthorization Act of 2003. It is particularly appropriate that we are doing so during National Adoption Month. Since the original Adoption Incentives Act was passed in 1997, the number of adoptions has doubled in 33 states. I am proud of this achievement and pleased that we are today continuing the authorization of this effective program.

Mrs. CLINTON. I too am pleased to reach this milestone. When my husband and I worked to establish the program in 1997, we hoped that this program would become half the success that it has. My husband set a goal of

doubling the number of children adopted out of foster care and last month we finally achieved that goal. In New York City, the number of children in foster care has plummeted by more than half since 1997 due in large part to the increased focus on helping available children for adoption.

Nevertheless we still have a long way to go. Over 580,000 children remain in foster care, 126,000 of them are ready and waiting to be adopted into a loving home. That is why this legislation is so important. And not only does it continue the incentives for States to help children with special needs be adopted out of foster care, it adds a new incentive to focus on older children—those over 9—whose chances of being adopted grow slimmer by the year. These vulnerable children face the greatest danger of aging out of foster care, a transition that is associated with lower educational outcomes, higher rates of teen pregnancy, higher rates of poverty, lower rates of employment, and many other negative factors.

Mr. GRASSLEY. I am pleased that this bill focuses on older children, thanks to the leadership of President Bush, and I hope when we revisit this legislation during the next reauthorization we will have seen the same remarkable results that we have seen over the past 5 years.

Mrs. CLINTON. Of course, as the number of children in foster care declines, as it has in New York City, it becomes increasingly difficult for states to qualify for adoption incentive awards. In order to receive such a bonus, states must exceed the highest number of adoptions they have achieved since the base year. Some have suggested that an alternative, and potentially more accurate, method for determining bonuses would be to look at the percentage of children in foster care who are adopted as opposed to the raw number.

Mr. GRASSLEY. I am aware that that method has been put on the table. However by adjusting the base year to 2002 and adding a new category of older children, we made it much easier for states to qualify for an adoption incentive bonus. Throughout the course of this reauthorization we talked to child welfare advocates and listened to their concerns about the way the incentives are awarded. The method we arrived at was reached through consensus and we have received very strong bi-partisan, bi-cameral support for the bill before us today. In fact, the House has already passed this legislation without opposition. By passing the same language here in the Senate, we are ensuring that President Bush will sign this important legislation into law sooner rather than later.

Mrs. CLINTON. I very much appreciate all the time that has gone into this act. And I am pleased that we are going to work together to have the General Accounting Office look into what is the best way to structure the adoption incentives formula so that

when we consider this legislation in the future we will have thoroughly explored other methods for calculating bonuses.

Mr. GRASSLEY. I am also looking forward to a through study of this issue that can inform the next reauthorization.

Mrs. CLINTON. Now, there have been some news reports lately that have argued that the Adoption Incentives Program has put children in dangerous situations by creating a strong financial incentive to place children for adoption out of foster care without regard to their safety or well-being.

Mr. GRASSLEY. I have seen those reports and I disagree with their premise. The primary goal of the Adoption and Safe Families Act is to make the safety and well-being of children paramount in child welfare decisions. In addition, in order to receive funds under the Promoting Safe and Stable Families Program, states must develop a plan to assure safety and permanency for children who enter the state's foster care system.

Adoption assistance is minimal especially when you think about the cost of raising a child. Families who adopt are highly unlikely to adopt children for the financial benefit. Nationally payments made on behalf of an eight-year-old average only \$14 per day. This is a fraction of what the Department of Agriculture suggests is needed to raise a child.

Mrs. CLINTON. I absolutely agree. And I would build on your remarks by adding that if States are not making the safety and well-being of the child paramount they are endangering their Title-IV-E funds, which is a much larger pot of money than the small amount they receive as a bonus under the Adoption Incentives Program. However, I would also add that it becomes increasingly difficult to guarantee the safety of each child under the care of the State when caseworkers are responsible for excessive caseloads and do not have the training to effectively serve the children in the child welfare system.

I would also add that I believe the next important step we need to take to make all adoptions out of foster care successful is to dedicate more resources to post-adoption services, including respite care, mental healthcare, and educational services.

Mr. GRASSLEY. I agree that we have to focus on the full range of adoption services. We have not improved the lives of abused and neglected children if they are adopted only to be returned to foster care because the families that adopted them didn't have the support they needed to care for them. This is not good for these kids.

Mrs. CLINTON. One way that we might consider to help States provide the full range of adoption services is to tap into the pot of unspent funds in the Adoption Incentives Program. Last year \$45 million was appropriated for the purpose of awarding bonuses, but

only \$18 million was actually awarded. I believe these funds have been retained by HHS for the purpose of awarding future bonuses, but with the great need for child welfare funds, I believe these funds would be better spent this year on post-adoption services or in bonuses for States that have increased the percentage of children adopted out of foster care.

Mr. GRASSLEY. I agree that funds appropriated for the Adoption Incentives Program should be spent on child welfare. While we may disagree about how exactly those funds should be spent, we are in agreement that they should be used to improve the lives of abused and neglected children. I know that there is interest among members of the Finance Committee to see that these unspent funds are used to improve the lives of children and I hope we can all work together to address this in the future.

Mrs. CLINTON. I thank Senator GRASSLEY for his leadership and his commitment to America's most vulnerable children. I look forward to working with him in the future.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3182) was read for the third time and passed.

OVERSEAS PRIVATE INVESTMENT CORPORATION AMENDMENTS ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 36, S. 1824.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1824) to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read for a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1824) was read the third time and passed, as follows:

S. 1824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Overseas Private Investment Corporation Amendments Act of 2003".

SEC. 2. ISSUING AUTHORITY.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended